

United States District Court
OF THE
EASTERN DISTRICT COURT OF MICHIGAN

8

ASHANTI WALTON
PETITIONER
VS

UNITED STATES
OF AMERICA,
RESPONDENT,

Case No:
2:16-CR-20735-CCM

Motion For Modification
Imposed Term of Imprisonment
For Extraordinary and Compelling
Reasons 18 U.S.C. § 3582(C)(1)(A)

Come now, the petitioner, ASHANTI WALTON
MOVES THIS HONORABLE COURT TO GRANT THE
PETITIONER'S IMPRISONMENT FOR EXTRA-
-ORDINARY AND COMPELLING REASON UNDER
18 U.S.C. § 3582(C)(1)(A)

Argument

Pursuit to the CARES Act that was signed
into law, the petitioner qualifies for release
from Federal prison, due to "Covid 19 pandemic"
the requirement of being a "at risk inmate"
only. The petitioner suffers from physical
injuries, in which require medication that
depletes the petitioner's immune system.
(See Exhibit A) Making the petitioner's health
at risk. Exhibit A 1 of 2

On May 26, 2020 Petitioner had a panic attack and passout in a 5x9 cell because he couldn't breathe due to the heat. After pounding on the door for an hour (because there is a known panic button for emergencies) Petitioner was pulled from his cell and given 10 minutes for air then shoveled back into his cell and was told to drink water. No medical was called. That same night inmate Treysen Burnside #17805-029 had an asthma attack and also was denied medical.

It must be scary indeed for a young man to be imprisoned within a small, locked room with a facility in which five other inmates (and no staff) have died and not to be able to get help when it's needed.

On April 15, 2020 Petitioner and other inmates was moved to C-unit for at risk inmates for the Covid-19 virus. During that time known one was tested for the virus even as inmates was getting sick for the virus they were just moved to E-unit for quarantine. Several days later they were brought back to C-unit, this went on for 90 days. Now it's June and Milan has tested the whole C-unit and over 15 people have the virus including the petitioner who is now fighting for his life.

Milan has no plan or idea what to do with at risk inmates but to keep them locked up. When petitioner asks what will happen when he's well Milan said go back to C-unit. And for what? Wait for the virus to attack again.

THE PETITIONER ~~do~~ do NOT Care THAT THIS
IS A GET OUT OF jail Free Card He's more
Worry about His Health.

PLEASE NOTE THAT I HAVE BEEN denied by
THE Warden For COMPASSIONATE release
SEE EXHIBIT B

CONCLUSION

For the following reasons, this Honorable Court should grant the petitioner's motion and order time served.

Date this 7.7.2020

Respectfully Submitted

Ashanti Walton

Ashanti Walton

Petitioner,

Read this medicine information sheet carefully each time you get this medicine filled. You must carefully read the "Consumer Information Use and Disclaimer" below in order to understand and correctly use this information. This information is for MALE patients only. It does NOT include important information for FEMALE patients.

Adalimumab Prefilled Pens and Syringes

Pronunciation (a da LIM yoo mab)

Brand Names: US Humira; Humira Pediatric Crohns Start; Humira Pen; Humira Pen-CD/UC/HS Starter; Humira Pen-Ps/UV Starter.

Warning

- Very bad and sometimes deadly infections have happened in patients who take this drug. Most people who had these infections were taking other drugs to lower the immune system like methotrexate or steroid drugs. If you have any infection, are taking antibiotics now or in the recent past, or have had many infections, talk with your doctor.
- TB (tuberculosis) has been seen in patients started on this drug. These patients were exposed to TB in the past, but never got the infection. You will be tested to see if you have been exposed to TB before starting this drug.
- Lymphoma and other cancers have happened in people who take this drug or drugs like it. This has been deadly in some cases. Talk with the doctor.
- A rare type of cancer called hepatosplenic T-cell lymphoma (HSTCL) has happened with this drug and other drugs like it. These cases have been deadly. Almost all cases were in people who were using drugs like this one along with certain other drugs (azathioprine or 6-mercaptopurine). Most of the time, this happened during treatment for Crohn's disease or ulcerative colitis. Also, most cases were in male teenagers or young men. Talk with the doctor.

What is this drug used for?

- It is used to treat some types of arthritis.
- It is used to treat Crohn's disease.
- It is used to treat ankylosing spondylitis.
- It is used to treat plaque psoriasis.
- It is used to treat ulcerative colitis.
- It is used to treat a skin problem called hidradenitis suppurativa.
- It is used to treat uveitis.
- It may be given to you for other reasons. Talk with the doctor.

What do I need to tell my doctor BEFORE I take this drug?

- If you have an allergy to adalimumab or any other part of this drug.

- If you are allergic to this drug; any part of this drug; or any other drugs, foods, or substances. Tell your doctor about the allergy and what signs you had.
- If you are taking any of these drugs: Abatacept or anakinra.
- If you are using another drug like this one. If you are not sure, ask your doctor or pharmacist.

This is not a list of all drugs or health problems that interact with this drug.

Tell your doctor and pharmacist about all of your drugs (prescription or OTC, natural products, vitamins) and health problems. You must check to make sure that it is safe for you to take this drug with all of your drugs and health problems. Do not start, stop, or change the dose of any drug without checking with your doctor.

What are some things I need to know or do while I take this drug?

- Tell all of your health care providers that you take this drug. This includes your doctors, nurses, pharmacists, and dentists.
- You may have more chance of getting an infection. Wash hands often. Stay away from people with infections, colds, or flu.
- If you have had hepatitis B before or carry the virus, talk with your doctor. Drugs like this one can cause the virus to become active. This can lead to very bad and sometimes deadly liver problems.
- Hepatitis B testing needs to be done as you were told by the doctor. Talk with the doctor.
You may bleed more easily. Be careful and avoid injury. Use a soft toothbrush and an electric razor.
Make sure you are up to date with all your vaccines before treatment with this drug.
- Talk with your doctor before getting any vaccines. Use of some vaccines with this drug may either raise the chance of an infection or make the vaccine not work as well.
- Do not get a weakened bacteria like BCG for bladder cancer while you use this drug. Talk with your doctor.
- Have blood work checked as you have been told by the doctor. Talk with the doctor.
- If you have a latex allergy, talk with your doctor. Some products have latex.

Exhibit A

MILAN FCI
4004 E. ARKONA ROAD - MILAN, Michigan 48160
165132-MIL Weaver, Sarah NP
WALTON, ASHANTI
Inject 40 mg subcutaneously EVERY 2 weeks for RA
pill line

MIL - E01-104L

06/08/20

55115-039

Adalimumab Pen-Subcu Kit 40 MG/0.8ML [2]
(11) Refills 06/24/20 RCW Refill Until: 12/05/20
#1 syrin Don't Confiscate Before: 09/22/20

CAUTION: Federal/State law prohibits transfer of this drug
to any person other than patient for whom prescribed.

RESPONSE TO REQUEST FOR REDUCTION IN SENTENCE
WALTON, Ashanti
Reg. No: 55115-039

June 1, 2020
B-2 Unit
RIS Request

Your request for Compassionate Release/Reduction in Sentence (RIS) has been reviewed pursuant to 18 U.S.C. 3582 (c)(1)(A). We will not be pursuing a request for compassionate release in your case.

A review of your request reveals you have submitted a request for a reduction in sentence based on inmates with a debilitating medical condition.


Program Statement 5050.50, states a request for a motion under 18 U.S.C. 4205(g) or 3582(c)(1)(A) shall be submitted to the Warden. Ordinarily, the request shall be in writing, and submitted by the inmate. An inmate may initiate a request when there are particularly extraordinary or compelling circumstances which could not be reasonably have been foreseen by the court at the time of sentencing. The criteria for a RIS request as an inmate with a debilitated medical condition requires that you are experiencing a deteriorating mental or physical health condition that substantially diminishes your ability to function in a correctional facility and conventional treatment promises no substantial improvement to your mental or physical condition. Further you can carry on self-care and are not confined to a bed or chair more that 50% of waking hours.

The Bureau of Prisons (BOP) is carefully monitoring the spread of the COVID-19 virus and taking extraordinary measures to contain it. As with any type of emergency situation, we carefully assess how to best ensure the safety of staff, inmates and the public.

Your current debilitated medical condition, with or without the spread of the COVID-19 virus, does not meet the criteria outlined in the paragraphs above. We recognize that you, like all of us, have legitimate concerns and fears about the spread and effects of the virus. However, your concern about being potentially exposed to, or possibly contracting COVID-19 does not currently warrant an early release.

Accordingly, your Request for Reduction in Sentence is denied. In the event you are not satisfied with this response and wish to appeal, you may contact your Unit Team to initiate an appeal in accordance with the Administrative Remedy Program. Please note, this appeal process begins with a BP-9 (Warden level).

I trust this addresses your concerns.


Jonathan Hemingway, Warden

6/2/20
Date

EXHIBIT
B

A. Whitson
NAME

55115-039
REG. NO.

FEDERAL CORRECTIONAL INSTITUTION

P.O. BOX 1000

MILAN, MICHIGAN 48160

48110PLEX MI 480

30114 08000 AM 7 1



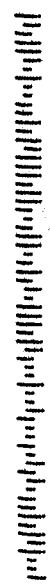
7/8/20

RECEIVED
JUL 21 2020
CLERKS OFFICE
U.S. DISTRICT COURT

Office of the Clerk
U.S. District Court
200 East Liberty St
Aur Arbor MI 48101

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U.S. DISTRICT COURT

48104-212559



U.S. MARSHALS